

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

David Lane Johnson,

Plaintiff,

-v-

National Football League Players
Association, et al.,

Defendants.

No. 1:17-cv-05131 (RJS)

Judge Richard J. Sullivan

***Plaintiff David Lane Johnson's Memorandum of Law in Opposition
to the NFL Defendants' Motion to Dismiss Plaintiff's First Amended Complaint***

For his Opposition to the NFL Defendants' Motion to Dismiss Plaintiff's First Amended Complaint, Plaintiff David Lane Johnson incorporates herein by reference his prior arguments as to the validity of his breach of the duty of fair representation claim and declaratory judgment claim against Defendant the National Football League Players Association.

Respectfully submitted,

s/ Stephen S. Zashin

Stephen S. Zashin (NY #4594305), ssz@zrlaw.com

Patrick J. Hoban (OH #0079794), pjh@zrlaw.com*

David R. Vance (OH #0083842), drv@zrlaw.com*

Zashin & Rich Co., L.P.A.

950 Main Avenue, 4th Floor

Cleveland, OH 44113

Telephone: (216) 696-4441

Facsimile: (216) 696-1618

** admitted pro hac vice*

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned certifies that on November 9, 2018 the foregoing was filed using the Court's CM/ECF system. All parties and counsel of record will receive notice and service of this document through the Court's CM/ECF electronic filing system.

s/ Stephen S. Zashin

Stephen S. Zashin (NY #4594305)

ssz@zrlaw.com

Patrick J. Hoban (OH #0079794)*

pjh@zrlaw.com

David R. Vance (OH #0083842)*

drv@zrlaw.com

Zashin & Rich Co., L.P.A.

950 Main Avenue, 4th Floor

Cleveland, OH 44113

Telephone: (216) 696-4441

Facsimile: (216) 696-1618

** admitted pro hac vice*

Attorneys for Plaintiff